G. R. S. 58]

Previous references.

Just: Deposit 52 of 16

1916.

(Gen. Mis.)

Later references.

G. M. 131-19 Ses 163 B. Jan 20.

Uh-195-46-(1-2)

R-24

File No. 140-16

Serial Nos. 1-2

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-3.

Part B for July 16.

SUBJECT.

Form of Correspondence between the Govt: & the Chief Court.

---

2. To Regr. Ch-Court. No: 618 dt 14.7.16.

Stating that Govt. accept the suggestion of the Chief Court in regard to the ———

W D 1351—GPB—20,000—13-12-15

G.R.S. 11] 1916.

GENERAL AND REVENUE SECRETARIAT.

(G.M.)

NOTES.

File No. 140-16

FILE HEADING.

Form of correspondence between the Govt: & the Chief Court.

From

No.	Dated	Received

Diary No.	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

NOTES—First Sheet.

GPB—35,000—15 6-12

Appeal

2

G.R.S. 13]

Routine Notes. Q Jn 140-16.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

J2650

Jl

...tion (by Mr. R. Thanumaji Rao, pro
...d by the Diwan.

Returned with put-up memo

From the Registrar, Chief
No 4705-34 Q 20.3.16

Address Govt on the p...
of communication between
Govt and the Chief Court.
Subj.

1) This seems to be a matter
for Br V to deal with. If approved,
this will be transferred accordingly
Reg.
5/4/16
RSK

Q8
6/4

Mst 1094-15
Ca

Br V)

Abiriaman matter tribes dwelt
in Kurnia Barren. This may have reference
to Tamil Brahmin.

Dr
4/4/16.

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—50,000—5-8-15

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Submitted:

2 As this is a question about the form of communication to be adopted between Govt & the chief Courts, Br III which is the administrative Dept concerned is in a better position to deal with the subject & pass orders hereon. So this may be retransferred to Br III.

Ses 3 This is a matter to be dealt with in Br V.
Br 6/4/16.

Br III is requested to kindly look up & put up references or instances showing the practice in former days referred to in the last para of the Chief Court's letter.

6/4-16

Br III

4 To The General Records for kindly putting up the files referred to above together with a copy of the proclamation referred to in para 4 of the Registrar's letter

Ses. 10/4/16 10/4/16

W. 9/4.

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—50,000—5-8-15

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

5 Please send formal to separate requisitions for references req^d.

10/4/16. WG

6 ~~The~~ Two requisition slips referring to the subject matter of the papers req^d – are sent herewith. The no^s and other particulars of the papers cannot be furnished by the Branch.

WG.
12/4/16

12/4/16.

7 The Vol: of the Gazette only the proclamation is printed. The file no^s form of correspondence referred to is not easily traceable & it will be traced & sent.

12/4/16

8 Gazette read. The other file is necessary before dealing this. This may however be returned with that file.

WG
13/4/16

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—50,000—29-6-14

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

9.

The note of the Ed. Recorder the requisition slip is with reference to para 3 of the routine note.

10) The Nyasa Gazette for April 1881 containing the proclamation referred to in para 4 of the Registrar's letter is attached hereto.

Ag.
14.4.16
GLW.

Ag
15/4

BrV)

Ref: Parag. 3 supra. The proclamation is ~~flagged~~ put-in and flagged. The form of communication recommended for adoption is indicated in parag. 5 of the Registrar's letter.

Subs.
GLW
19/4

P.J.O.

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—50,000—5-8-15

f 2650

WRL 1094-15

5

G.R.S. 13]

Routine Notes.

2650

[To be used only for notes, requisitions, etc., not intended for permanent record.]

---

11) Subd. with the available references.
The Earl ~~of~~ the Rentchin
During ~~the~~ days, the Dewan used
to communicate with the Chief Judge &
Vice Versa –
we may
26/4
12) for III for remarks.
27/4-16

13) Subd. The Second Member
has ordered the ~~above~~ procedure
~~to~~ indicated by the Chief
Court ~~to be~~ adopted.

14) Please put up the G.O.
under which all communications
have to be addressed to me by name
Chief Court; and the file connected with it
the matter may be treated as urgent.
2/5/16

15) This may be sent to the Govt
Records for early compliance.

The General Records

25/5/16

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—50,000—5-8-15

Subd

An expression of the original

f 2650

b

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Records for a period of three years prior to Rendition and for a like period subsequent to May 1884 — (when 2 additional Puisne Judges were appointed to the Chief Court Bench) — indicates that all Communications from and to the Chief Court, ~~were~~ were from the Judicial Commr. and the Chief Judge respectively

17) Explicit Govt order does not appear to have been passed as verified to by enquiries made by me in the Chief Court.

18) Hence the reference required is not easily traceable in the absence of number & date of G.O bearing on the subject if one in existence.

3.5.16

19) Submitted for orders

3/5/16

4.5.16

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—50,000—29-6-14

2650

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

20)

No references other than can ever put up are traceable.

Submitted for orders

SB
4/5

Secretary)

21) Much time has already been lost in the case over minor matters of procedure:

The reference is based on 3 grounds :—

1 Practice in Br India
2. Ditto in Mysore on partition days
3. Peculiar position of the Chief Ct.

Information on Point No 1 should be checked up in a day or two.

Dr 5/5

Dr
5/5
SB 5/5

22) Subd.

Under Rule 210 (xx) of the Chief Secrett office Manual, all proceedings to be communicated to the High Court &c are to be

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—50,000—5-8-15

2653

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

forwarded under a covering letter (please vide page 73 of Vol I of the book put-up). As regards the form of addressing proceedings reference is invited to copy of S.O. put-up.

8/5/16

8/5

Secretary

23) In pre-rendition days, the Judicial Comm was addressed direct as may be gathered from available records. In Madras, the Chief Justice is addressed direct with a covering letter: vide pencilled page of the reference from the Chief Court vide para 5. There is no objection to this form of address, in my opinion.

Second Member
8/5

8/8

24) I agree to the General Secy's suggestion. In some Provincial Govts the practice is that the Letter with a covering letter addressed to the Registrar is addressed a Covering letter is necessary.

9/8

9/8

N.B.—Should routine notes be written on small slips, the notes must be copied or slips pasted on this form.

GPB—50,000—5-8-15

6029
9.8.16

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

---

m of comm^n. between Govt. & the Chief Court]

25 A covering letter is necessary in such cases.

26 The rules in force should be examined (by the Efficiency Audit Branch) with a view to see to what other authorities or representatives of the public, Government communications should issue by letter.

12.5.16 AV

E.A.B. Orders 13/5
Conf
13/5

E. A. C. M 43.

27 The rules in force as regards the form of communications from Govt. enclose the following.

28 Section 176 Secretariat Manual The letter form should be employed (unless otherwise ordered) whenever a letter is replied to or does have to be conveyed at length.

29 The same rule states that the exact form does not be

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—50,000—5-8-15

G.R.S. 13]

10

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

employed in addressing non official persons or institutions.

30 Rule 195 — 'Letter' is the only authorised form of communication between the Director and the Receiver.

31 There are no rules regarding the transmission of Proceedings with a covering letter. If this form is to be adopted, it may be applied to

1) the Chief Court

2) the University

3) the Economic Conference

4) Boards, Committees, &c appointed by Govt.

32 Correspondence with

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—50,000—29-6-14

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

non-official bodies eg. the Chamber of Commerce will always be in letter form according to section 8(1) of the Scott Manual

NLL 18/5/16

Seen

JB

No covering letter is necessary under existing rules & practice. Covering letter means more work. Should it be prescribed by a new order, cases like mentioned in para 31 seem to deserve answers, though it will be difficult to say where this concession should stop.

34

I have already referred to the old practice prevalent here in the pre-revolution days. I may add that the position underwent some change after the Civil Court Reg. was enacted.

Deen 25/5

Second member of Secretariat

25/5.

L I 34.

Reference — Secretariat Note para 26

747. 26.5.16.

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—50,000—29-6-14

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

357

A reply is due to the Chief Court. I entirely concur in the view of the Dewan and the Fin. Member, that communications between the Govt and the Chief Court should be by letter, proceedings of Govt being sent with a covering letter. The letter may be addressed to the Registrar on behalf of the Chief Court, just as it is issued by a Secretary on behalf of Govt.

Paragraphs 24 & 25.

I have just updated a reply, which may be sent to the Dewan for appl.

The question to what other authorities the same form of communication may be extended stands on a different footing. The Fin Secretary has suggested certain difficulties which deserve consideration. In any case the rules in the Secrt Manual seem sufficient for all practical purposes, and no change seems called for.

+ appeal perhaps in the case of the University in so far as it is vested with powers independent of the executive Govt.

21/6/16

21/6/16

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

6699
21.6.16

GPB—50,000—5-8-15

Submitted to His Highness.

× Paper under disposal.

These papers relate to a reference from the Chief Court in regard to the form of correspondence between the Government and the Chief Court. It is stated that the Chief Court stands in some respects in a different position from other Heads of Departments and that the practice in British India is also different.

× Page 12 of office notes.

2. It is proposed to issue instructions that all communications from Government to the Chief Court shall in future be by letter, proceedings of Government being sent with a covering letter addressed to the Registrar.

× Draft for approval

3. The accompanying draft letter may kindly be approved.

M. V. Viswanath

29th June 1916.

HR

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject.

Form of correspondence between the Government and the Chief Court.

Order.

~~KRW~~

1/7/16

Secretary

2-7-16

Do save trouble, printed copies of covering letter may be kept in Stock.

Secy

BVL

Mdr 1094-15

G. R. S. 12]

General and Revenue Secretariat. | Gen. File No. 120 of 1916.

Serial No.	
	May the draft reply to the Registrar regg issue from Br. V?
	A draft covering letter is put up for approval.
	Subd. 15/7
	Issue the draft reply to the Chief Court. The file may then be re-submitted. 16/7/16
2.	To Regr. Chief Court. no: 6618 dy 14.7.1916.
	States that Govt. accepts the suggestions made in his letter (51.1) and that instructions have been issued that all communications from Govt. to the Chief Court shall be by means of letter, proceedings of Govt. being sent with a covering letter addressed to the Regr.
	Subd. May copies of the letter to the Ch. Court be got prepared & sent to the Sessns Secretaries to Govt?
	Orders are also required on the form of covering letter – regd. in cases of Govt. Progs:— put up.
Mdr 14/7	Copies of the letter have to be sent to the several branches of the Gen. Dept. for note: Send 16/7/16
	hg 14/7/16
	To the Typing section for making 15 copies of 2.
	hg 15/7/16

Sent copies to all the 13 Branches and 3 Secretaries to Govt. dnd. 18/7/16.

NOTE—Contn. sheet.

GPB—70,000—17-12-15

Mil 1094-15 16

G. R. S. 12]

General and Revenue Secretariat.

G. R. File No. 140 of 1916.

Serial No.	
2	To The Registrar Chief Court of No 9618 of 14-7-16 Acknowledges the receipt of 8 & and accepts the suggestion therein made and states that instructions ~~from Govt to~~ have been issued that all communications from Govt to the Chief Court shall be by means of letter, proceedings of Govt being sent with a cover letter addressed to the Registrar A draft is subd forwarding copy of the ~~letter~~ letter to the Chief Other Court, to the Secretaries to Govt. ~~for Railways & Posts~~ RA 18/7 VS Issued as ~~one~~ VS 18/7/16
3.	To The General Secretaries to Govt. No. 9791-S of 19.7.1916. Forwards copy of the letter to Ch. Court for information. To: Resubmitted for orders on the ~~form~~ form of the covering letter ~~put up~~. a draft of which is already put up. RA 19/7 VS By VIII) For favour of forwarding VS 21/7/16 A few changes are suggested in Mr 71. Mr 21/7/16 Bpt

Mrs Rep
C. A. 24. 29
21. 7. 1916.

NOTE—Contn. sheet.

GPB—70,000—17-12-15

G. R. S. 12]

Mol 1094-15 17

General and Revenue Secretariat.

Gen File No. 180 of 1916.

Serial No.

Submitted.

24/7 Marked.

Get the two drafts

4/24/7/16

To the Cash Section with press copies of the two forms for further action. The forms will have to be got printed immediately.

24.7.16.

Mot.

24.7.16

The forms are handed over to Cash Section for being printed

The Printing Section of the G.R.S. may be asked to print a thousand copies of each of the 2 forms (both for draft & for fair) for immediate use.

Submitted

24.7.16.

A number has been given Printing Section attd.

25/7.

25/7.

Forms retained for being printed

26/7/16

Please see Secretariat note?

NOTE—Contn. sheet.

GPB—70,000—17-12-15

G. R. S. 12]

General and Revenue Secretariat.

Gen File No. 140 of 1916.

Serial No.	
	[illegible]
	26.7.16
	Subd. The papers may now be recorded.
	28/7

NOTE—Contn. sheet.

GPB—70,000—17-12-15

No. 4705/354

Chief Court of Mysore,

Bangalore, dated the 30th March 1916.

DIARY No. J 2650

From

N.T. Gopaliengar, Esq., B.A., B.L.,
Registrar of the Chief Court of Mysore.

To

D. M. Narasinga Rao, Esq., B.A., B.L.,
Secretary to the Government of Mysore,
General Department.

Sir,

I am directed to invite your attention to a small matter which is however not entirely matter of form on which the Judges would be glad of the orders of the Government.

2 Copies of Proceedings of the Government are at present communicated to the Chief Court in two ways. Certain proceedings are sent merely with the note "to Heads of Departments" and others to "The Registrar, Chief Court".

3 The Chief Court stands in some respects in a different position from other Heads of Departments; because of course the Administration of Justice is necessarily independent of the Executive Administration, and some of the functions of the Chief Court cannot be, and the Government would not desire them to be, controlled by the Executive Government.

This

This position is indicated in those paragraphs of the Proclamation of His Highness the Maharaja issued on the day on which he assumed the control of the Administration from the Government of India, which deal with the appointment of a Dewan for the conduct of the Executive Administration and of a Chief Judge to aid in the Administration of Justice.

5. In British India the distinction is maintained in form by the adoption by Local Governments in communicating with the High Court, of the forms of correspondence in use between heads of offices independent of one another: in Madras this takes the form of a covering letter addressed to the Chief Justice enclosing a copy of the Proceedings, and when action is wanted the request for it is stated in the letter: the same form is used in communications by the Local Government with other Local Governments and the Government of India. Here whatever forms are in use between Heads of different departments would the Judges think be suitable and I am to ask that the Government may be pleased to issue instructions accordingly.

6. The Judges understand that the practice suggested was in force in former days in Mysore and they think that the Government will

21

will agree that it would be well to re-introduce it.

I have the honor to be,

S i r ,

Your most obedient servant,

R E G I S T R A R .

H.C.C.

No. G. 618 dated 14-7-16

G.R. 120-15-2

To

The Registrar, Chief Court of Mysore.

Sir,

I am directed to acknowledge the receipt of your letter No.4705/354 dated the 30th March 1916 in regard to the form of correspondence between the Government and the Chief Court.

2. I am to say that the Government accept the suggestion therein made, and that instructions have been issued that all communications from Government to the Chief Court shall be by means of letter, ~~all~~ proceedings of Government being sent with a covering letter addressed to the Registrar ~~and indicating whenever necessary the action desired to be taken.~~

I have etc.,

Secretary to Government,
General Department.

G. R. S. 26]

Gn. File No. 140-16

Serial No. 3

Diary No. of letter replied to .....

No.

General and Revenue Secretariat

( )

, *the* 191 .

~~To~~

[Here enter letter no: 9618/Gen. 140-16-2 & 14th July 1916 to The Regr. Chief Court of Mysore, Bangalore]

Date of issue 19.7.16

Signed by Mr. H. Jagannadiya

Memo: no: G-791-S

Copy of the above is forwarded with compliments to the Secretary to Govt. (1) for Railways (2) P.W.D. ~~for information~~ (3) for Edn + Agriculture (4), H. Deptt. (5) Revenue Deptt for information.

By order

19/18/7/16

For Secy. to Govt

VS

over.

SUBJECT.

G.R.S. 83.

24

From

The Secretary to the Govt. of Mysore

Department.

To

The Registrar, Chief Court of Mysore,

Bangalore

Sir,

I am directed to forward herewith for the information of the Judges of the Chief Court a copy of Govt. Proceedings No: dated and form of account (4 copies)

forming

about 2 inches)